

REMARKS

In the Office Action, claims 1-11, 20, 22-25, 31-35 and 37-54 were rejected. By the present Response, claims 1, 20, 31, 34, 42, 47 and 50 are amended, and claims 25, 46 and 54 are canceled. Upon entry of the amendments, claims 1-11, 20, 22-24, 31-35, 37-45 and 47-53 will remain pending in the present patent application. Reconsideration and allowance of all pending claims based upon these amendments and the remarks summarized below are respectfully requested.

Rejections Under 35 U.S.C. § 112

In the Final Office Action, the Examiner rejected all pending claims based upon 35 U.S.C. § 112, second paragraph. Specifically, the Examiner appeared to indicate that there was insufficient antecedent basis in the claims (although not enumerated individually by the Examiner) for the term “after assembly.” Applicants note that both in method and system claims, reference is made to assembling system components or assembling a system. This is *the only* reference to any assembly in these claims. Accordingly, there could not possibly be any confusion as to the meaning of the term. Certainly, the term would not refer to assembly of individual memory objects, as no reference to such assembly is made in the claims.

However, to advance prosecution of the present application, all of the claims have been amended to specifically recite that the assembly is of the system. Accordingly, withdrawal of the rejections under 35 U.S.C. § 112 is requested.

Rejections Under 35 U.S.C. § 103

All of the pending claims were rejected in view of a single prior art reference, although under 35 U.S.C. § 103. In particular, the Examiner rejected all pending claims in view of Skoolicas (U.S. Patent No. 6,230,403).

Importantly, the Examiner seemed to continue to argue that Skoolicas teaches the recited configuring of the memory objects of individual devices of a system. As pointed out in the Response to the previous Office Action, Skoolicas does not teach configuration of memory objects after assembly of a system. Skoolicas only teaches programming individual components prior to assembly of the system.

However, to advance prosecution of the present application, all of the independent claims have been amended to specifically recite that the devices are configured after assembly of the system and via a network. Support for the amendments may be found, *inter alia*, in the original application on page 23, beginning at line 17 through page 24, line 22.

The Examiner also seemed to indicate that the order in which steps are performed is not given patentable weight. The Examiner cited an *Ex parte* case from the Board of Patent Appeals from 1959 for the proposition that the order of steps would be obvious “because of the absence of any new or unexpected results.”

Applicants submit that, in the present case, such precedent is simply inapplicable. In particular, new and unexpected results are obtained with the claimed technique. In Skoolicas, for example, each individual component must be separately and individually programmed. Indeed, it does not appear that individual components are programmed in Skoolicas, but only certain processors. Be that as it may, significant benefits are realized by the present invention due to the ability to program memory objects for multiple devices after assembly of the system and via a network that interconnects these devices. These results simply could not be obtained following the teachings of Skoolicas.

Moreover, the cases relied upon by the Examiner regarding reversibility of ordering of process steps are inapplicable here. The implicit language of the claims

themselves implies the specific order required for first assembling the system, then configuring the memory objects of the devices in the assembled system and via a network.

Accordingly, all claims are believed to be clearly allowable over Skoolicas and a Notice to that effect is earnestly solicited.

Conclusion

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: October 31, 2007

/Patrick S. Yoder/

Patrick S. Yoder

Reg. No. 37,479

FLETCHER YODER

P.O. Box 692289

Houston, TX 77269-2289

(281) 970-4545

CORRESPONDENCE ADDRESS

ROCKWELL AUTOMATION, INC.

Patent Department/704P Floor 8 T-29

1201 South Second Street

Milwaukee, Wisconsin 53204

Attention: Susan M. Donahue

Phone: (414) 382-2000